IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of: Shane S. Owara

Serial No.: 10/796,249 Examiner: Lovel, Kimberly M

Filed: March 9, 2004 Art Unit: 2167

For: SYSTEM AND METHOD FOR INDEXING A BACKUP USING

PERSISTENT CONSISTENCY POINT

IMAGES

Confirmation No.: 2387

Cesari and McKenna, LLP 88 Black Falcon Avenue Boston, MA 02210 April 27, 2010

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that the following paper is being EFS WEB transmitted to the Patent and Trademark Office on April 27, 2010.

> /Kristin Bigelow/ Kristin Bigelow

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

AMENDMENT

This Amendment is filed in response to the Office Action mailed on February 18, 2010. All objections and rejections are respectfully traversed, Please enter the following amendments: